

REMARKS

Claims 1-16 remain in the application. Claims 1-5,6, and 13 have been amended.

Claims 1-5 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 1-5 are amended to obviate the rejection. In particular, MPEP §2106 states that data structures are functional descriptive materials. Further, the same section states that a signal claim is statutory. Because, claim 1 recites a modulating signal including a master guide table, which is a data structure, claim 1 claims statutory subject matter. Claims 2-5 have been similarly amended. Accordingly, withdrawal of the rejection under 35 U.S.C. §101 is respectfully requested.

Claims 1-4, 6-8, and 10-15 stand rejected under 35 U.S.C. §102(b) as being anticipated by the “Program and System Information Protocol for Terrestrial Broadcast and Cable” (hereinafter ATSC A/65) published on December 23, 1997 by the ATSC. Claims 5, 9, and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over ATSC A/65 in view of Official Notice taken by the Examiner. While not necessarily agreeing with the Office’s rejections, Applicant asserts that these rejections are moot in view of the present amendments and the following remarks. Applicant states that the present amendments were made to clarify, but not further limit, the scope of the claims.

More specifically, amended claim 1 recites, among others, “a version number for an event information table...that is different from a version number for a previously transmitted event information table...a second identifier, distinct from the version number, the second identifier comprising identification information indicating whether contents of an event information table in a bit stream syntax are shifted or changed.” Claims 6 and 13 recite similar features.

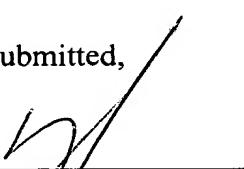
ATSC A/65 does not disclose or suggest the above-noted features of claims 1, 6, and 13. Instead, as disclosed on page 71, ATSC A/65 discloses that “Whenever the decoder monitoring the MGT detects a change in the version number of a table, it assumes that the table has changed and needs to be reloaded.” However, the standard does not specifically disclose an identifier indicating whether the contents of the table has shifted or changed. Accordingly, independent claims 1, 6, and 13 define patentable subject matter. Claims 2-5, 7-12, and 14-16 are at least allowable by virtue of their dependency on the respective independent claims.

Accordingly, Applicant believes that the application is in condition for allowance. Notice of same is earnestly solicited. Should the Examiner find the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, including any fees under 37 C.F.R. §§1.16 and/or 1.17, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

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